

MELINDA HAAG (CABN 132612)
United States Attorney

DAVID R. CALLAWAY (CABN 121782)
Chief, Criminal Division

SARAH HAWKINS (CABN 257723)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7126
Fax: (415) 436-7207
Email: Sarah.Hawkins@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA)	CASE NO. CR- 15-194 -JST
)	
v.)	STIPULATION AND PROPOSED ORDER
)	EXCLUDING TIME FROM OTHERWISE
ASHLEY CEDRICK SMITH,)	APPLICABLE SPEEDY TRIAL ACT
)	CALCULATION
Defendant.)	

STIPULATION

IT IS HEREBY STIPULATED by the parties, through undersigned counsel, that:

1. The parties appeared before the Court on August 21, 2015 at 9:30 a.m. for a status hearing. Mr. Smith was present and represented by Assistant Federal Public Defender Joyce Leavitt. Assistant United States Attorney Sarah Hawkins appeared for the Government. The parties requested a continuance of the matter, with time excluded for effective preparation of counsel.

2. Accordingly, with the parties' agreement as to the new date, the Court scheduled another hearing for October 16, 2015 at 9:30 a.m., at which time there will be either a change of plea or setting of a motion schedule. The Court set this date with the understanding that the parties would submit a Stipulation and Proposed Order excluding time.

3. The parties now formalize their request for exclusion of time in this matter and respectfully

1 submit and agree that the period from August 21, 2015 through and including October 16, 2015 should
2 be excluded from the otherwise applicable Speedy Trial Act computation because the continuance is
3 necessary for effective preparation of counsel, taking into account the exercise of due diligence.

4 4. The parties concur that granting the exclusion would allow the reasonable time necessary
5 for effective preparation of counsel and continuity of counsel. *See* 18 U.S.C. §3161(h)(7)(B)(iv). The
6 parties also agree that the ends of justice served by granting such an exclusion of time for the purposes
7 of effective preparation of counsel outweigh the best interests of the public and the defendant in a
8 speedy trial. 18 U.S.C. § 3161(h)(7)(A).

9 IT IS SO STIPULATED.

10
11 DATED: August 25, 2015

MELINDA HAAG
United States Attorney

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13 /s/
14 SARAH HAWKINS
Assistant United States Attorney

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16 DATED: August 25, 2015

17 /s/
18 JOYCE LEAVITT
Counsel for the Defendant

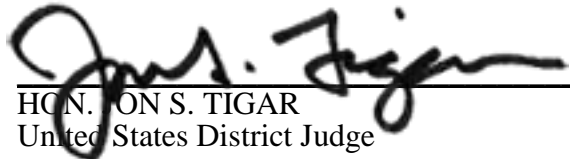
~~PROPOSED~~ ORDER

Based upon the above-described Stipulation, THE COURT FINDS THAT the ends of justice served by granting a continuance from August 21, 2015 through and including October 16, 2015 outweigh the best interest of the public and the defendant in a speedy trial, and that failure to grant such a continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

Accordingly, THE COURT ORDERS THAT the period from August 21, 2015 through and including October 16, 2015 is excluded from the otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

IT IS SO ORDERED.

DATED: September 1, 2015



HON. JON S. TIGAR
United States District Judge